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generated by the fresh product during roasting; and, upon detecting a match between the first and second parameters, discontinuing the roasting step.

REMARKS:

Claims 1-11, 56-58 and 62-79 are pending.

All claims, including specifically independent claims 1, 11, 56, 62 and 71, were primarily rejected over the combination of Porzi and Tidland, alone or in combination with additional patents.

Independent claims 70 and 79 were rejected for obviousness over Porzi, alone or in combination with Grubbs (claim 79 only).

Critical to the rejection of the claims over Porzi and Tidland is the interpretation of Tidland that it teaches the removal of pollutants from the exhaust, "mixing the filtered air with cool ambient air (column 2, line 51), and discharging the remainder of the filtered air [to] the surrounding room (column 2, line 40)." (Final Rejection, page 3.)

During a telephone interview between Examiner Becker and the undersigned, the disclosure of Tidland was discussed in some detail. Examiner Becker mentioned that Tidland discharges air to the exterior via a "coarse filter 17 and an electronic filter 18" (Tidland, column 4, line 25).

The undersigned pointed out that Tidland involves a closed loop process in which air is continuously circulated through a cyclone 60 via line 5, past dampers 20 and thereafter through filters 70-78 before being heated and reintroduced into the roasting chamber. Any air that is discharged past filters 17, 18 is untreated air heavily polluted with smoke, solid particles, volatiles, etc. as are commonly encountered during coffee roasting. In fact, coffee roasting is such a polluting activity that Tidland notes (column 1, lines 44-46):

"Thus, current roasting systems must be operated in industrial locations where objectionable exhaust fumes cannot be inhaled by retail coffee consumers."

Tidland distinguishes his invention from the prior art as follows (column 2, lines 22-44):

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"The air reconditioning system eliminates the need for external venting. The air reconditioning system includes a heater for heating the air blown into the roasting chamber through the infeed vent and an air filtering system. A fan draws the exhaust air from the roasting chamber through the air filtering system and past the heater. The filtered and reheated air is then recirculated back into the roasting chamber.

....

Continuously filtering the recirculated air allows the roasting system to be placed in a room without requiring outside ventilation and without producing objectionable odors. By reusing the heated air from the roasting chamber, the roasting system is also more energy efficient than current coffee roasting systems."

Tidland also discloses what is required of its filtering system. It states that there is a coarse fiberglass filter (for the removal of large particulates), an electronic filter (to remove micron-sizes particulates), and a carbon filter (for the removal of odors). (Column 2, lines 29-38 and column 4, lines 27-39.)

As is clearly seen from Fig. 4, when used air drawn off the roasting chamber is removed past filters 17, 18, the entire filter system of the roaster (consisting of filters 70, 72, 74, 76 and 78) is bypassed.

Thus, unlike the above-quoted observation from the Office Action, Tidland does not discharge "the remainder of the filtered air [to] the surrounding room (column 2, line 40)". Column 2, line 40 of Tidland does not state or in any way suggest that the air drawn off the roasting chamber is discharged past filters 17, 18 to the surrounding room. This portion of Tidland merely states that by "Continuously filtering the recirculated air" the system can be placed in a room. This would not be possible if the continuous recirculation were interrupted and, instead, the polluted air from the roasting chamber were discharged past inadequate filters to the exterior.

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During the telephone interview, Examiner Becker indicated that the discussed difference between the present invention and Tidland is such that at least the Final Rejection should be retracted. Such an action is herewith requested.

All pending claims, and in particular independent claims 1, 11, 56, 62 and 71, are limited to clearly bring out the feature which distinguishes the present invention over Porzi and Tidland, namely a cleaning (filtration) and cooling (to room temperature, e.g. 100°F) of the air coming off the roasting chamber and discharging it into an enclosed room.

For example, claim 1 is limited to "filtering substantially all pollutants from the heated air ... thereafter reheating and recirculating a major portion of the substantially pollutant-free air ...; discharging a minor portion of the filtered air prior to reheating and recirculating the major portion of the air ...."

Independent claims 1, 11 and 71 are similarly limited.

Independent claim 56 has been slightly amended to clarify the present invention. It is now limited to "cooling at least a portion of the used air; discharging the used air into the enclosed room while continuing to heat the fresh beans ...."

Independent claim 62 has also been slightly amended and is now limited to "roasting fresh product at a roasting temperature by flowing heated air over the fresh product; while flowing heated air over the fresh product removing substantially all pollutants from the air downstream of the fresh product being heated, cooling the air downstream of the fresh product to substantially room temperature, and thereafter exhausting the cooled air into a room of a building ...."

These independent claims, and therewith the claims depending from them, specifically recite that the hot, polluted used air, following roasting, is cleaned, cooled and discharged from the machine, not recirculated as in Tidland. They are therefore not suggested by Tidland, alone or in combination with Porzi. Accordingly, these claims are in condition for allowance.

Thus, the issuance of a formal Notice of Allowance at an early date is therefore requested.

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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